IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

| | | |
|---|---|---|
| DOMAIN PROTECTION LLC, | § | |
| *Plaintiff,* | § | |
| v. | § | Civil Action No. **3:15-cv-02244-L** |
| | § | |
| Paul Raynor Keating, | § | |
| *Defendant.* | § | |

## REQUEST FOR TRANSMITTAL

TO THE HONORABLE CLERK OF COURT:

Please transmit this filing to Hon. United States Magistrate Judge Renée Harris Toliver.

Respectfully,

 /s/ Christopher A. Payne
Christopher A. Payne
Law Office of Christopher A. Payne, PLLC
9101 Lyndon B Johnson Fwy Ste 760
Dallas, TX 75243
Phone: 972 284-0731
Fax: 214 453-2435
chris@ChristopherAPayne.com

## CERTIFICATE OF SERVICE

I certify that this filing was served this day on all parties who receive notification through the Court's electronic filing system.

CERTIFIED BY:     /s/ Christopher A. Payne
                 Christopher A. Payne

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

DOMAIN PROTECTION LLC,                      §
          *Plaintiff,*                         §
                                                 §     Civil Action No. **3:15-cv-02244-L**
v.                                          §
                                                 §
**Paul Raynor Keating,**                    §
          *Defendant.*                        §

## DOMAIN PROTECTION LLC'S REPLY ON MOTION TO ALLOW DISCOVERY AS TO THE FACTUAL ISSUES RAISED IN PAUL KEATING'S MOTION TO DISMISS

TO THE HONORABLE UNITED STATES MAGISTRATE JUDGE:

DOMAIN PROTECTION, LLC respectfully replies to Keating's response filed November 5, 2015, (Doc 17).

## I. REPLY ARGUMENT

1.    Continuing the pattern set up in the *Netsphere* case, the representations which Keating and his counsel make to the Court are inconsistent with the record. Thus, contrary to their assertion that Keating did not submit documentation in connection with the motion to strike Payne's filing, (Doc. 17 at page 1), Keating submitted an affidavit in support of the motion in the *Netsphere* case. (Doc. 1418 filed in case 3:09-cv-00988-L).

2.    Domain Protection, L.L.C., respectfully raises to the Court's attention that Keating's assertions are inconsistent with the record. For example, Keating

asserts that he did not author Doc. 1416 in *Netsphere v. Baron*, Civ. No. 3:09-cv-00988-L.   However, like Doc. 1411 filed by Baron/RPV in the *Netsphere* case, when Doc. 1416 is examined, (Control + D in Adobe Acrobat), <u>Paul Keating</u> is revealed as the document's author.

3.   Keating does "not know why" his name appears as author of Doc. 1411 filed in the Netsphere case, but suggests that it might be because he "originally created" the template for the document. Doc 17-1, pages 3-5, ¶ 11.   Andrew York, however, contradicts Keating's explanation and swears that "The original document (number 2084664.1) was created by Travis Crabtree, another Gray Reed attorney". Doc. 17-1, page 23, ¶ 6.

4.   Keating's response points out that Baron has filed a suit against the undersigned. Doc. 17, page 6.   Baron, notably, has filed similar suits, directly or through confederates, against Senior Federal District Court Judge Ferguson, Bankruptcy Court Judge Jernigan, the U.S. Federal receiver,  counsel for the federal receiver, the U.S. Chapter 11 Bankruptcy Trustee,  counsel for the trustee, countless of his own former counsel, former counsel of Novo Point LLC and Quantec LLC, and the U.S. Marshals.   However, Baron's edacity for filing conspiracy theory lawsuits does not exempt Keating from discovery.

5.   Keating has made factual assertions in support of his motion to dismiss for lack of jurisdiction. The Fifth Circuit has ruled that "Insofar as the defendant's motion to dismiss raises factual issues, the plaintiff should have an opportunity to develop and argue the facts" and "the district court must give the plaintiff an opportunity for discovery" which is appropriate to the nature of the

motion. *Williamson v. Tucker*, 645 F.2d 404, 414 (5th Cir. 1981).     Domain

Protection L.L.C. has requested such an opportunity with respect to the factual

allegations raised in Keating's motion to dismiss.


Respectfully submitted,

 /s/ Christopher A. Payne
Christopher A. Payne
Law Office of Christopher A. Payne, PLLC
9101 Lyndon B Johnson Fwy Ste 760
Dallas, TX 75243
Phone: 972 284-0731
Fax: 214 453-2435
chris@ChristopherAPayne.com